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L A W Y E R S

E-Filed on 11/19/07

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Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT**  
**DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE  
COMPANY,

USA CAPITAL REALTY ADVISORS, LLC,

USA CAPITAL DIVERSIFIED TRUST DEED  
FUND, LLC,

USA CAPITAL FIRST TRUST DEED FUND,  
LLC,

USA SECURITIES, LLC,

Debtors.

**Affects:**

- ☐ All Debtors  
☒ USA Commercial Mortgage Company  
☐ USA Capital Realty Advisors, LLC  
☐ USA Capital Diversified Trust Deed Fund, LLC  
☐ USA Capital First Trust Deed Fund, LLC  
☐ USA Securities, LLC

Case No. BK-S-06-10725-LBR  
Case No. BK-S-06-10726-LBR  
Case No. BK-S-06-10727-LBR  
Case No. BK-S-06-10728-LBR  
Case No. BK-S-06-10729-LBR

## CHAPTER 11

Jointly Administered Under Case No. BK-S-  
06-10725 LBR

**NOTICE OF HEARING REGARDING  
PARTIAL OBJECTION OF USACM  
TRUST TO TOBIAS VON EUW  
REVOCABLE TRUST DTD 11/23/04  
CLAIM FILED IN WRONG DEBTOR  
CASE AND DISALLOWED AS TO  
USACM**

Hearing Date: December 20, 2007  
Hearing Time: 9:30 a.m.

**THE USACM LIQUIDATING TRUST IS OBJECTING TO THE CLAIM THAT  
YOU FILED. THE DEADLINE TO RESPOND TO THE OBJECTION IS  
DECEMBER 13, 2007. PLEASE DO NOT CONTACT THE CLERK OF THE  
BANKRUPTCY COURT TO DISCUSS THE MERITS OF YOUR CLAIM.  
QUESTIONS REGARDING THE AMOUNT OF A CLAIM OR THE FILING OF A  
CLAIM SHOULD BE DIRECTED TO THE UNDERSIGNED COUNSEL.**

**NOTICE IS HEREBY GIVEN** that the USACM Liquidating Trust, by and  
through its counsel, has filed a Partial Objection to your claim filed in USA Commercial  
Mortgage Company, Case No. 06-10725 on the ground that a portion of the claim is a debt  
of USA Capital First Trust Deed Fund, LLC, Case No. 06-10728 ("FTDF").

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The USACM Liquidating Trust has requested that this Court enter an order, disallowing that portion of your claim against USA Commercial Mortgage Company that relates to an investment in FTDF (\$50,000). The objection will not impact the remainder of your claim against USACM, nor will it impact your existing equity interest in the FTDF estate.

**NOTICE IS FURTHER GIVEN** that the hearing on the Objection will be held before the Honorable Linda B. Riegle, United States Bankruptcy Judge, in the Foley Federal Building, 300 Las Vegas Boulevard South, Courtroom 1, Las Vegas, Nevada, on **December 20, 2007, at the hour of 9:30 a.m.**

**NOTICE IS FURTHER GIVEN THAT THE HEARING SET ON DECEMBER 20, 2007, WILL BE HELD FOR THE PURPOSE OF STATUS CHECKS AND SCHEDULING EVIDENTIARY HEARINGS ONLY. NO ARGUMENTS WILL BE HEARD ON THAT DATE.**

**NOTICE IS FURTHER GIVEN** that any response to the Objection must be filed by **December 13, 2007** pursuant to Local Rule 3007(b), which states:

If an objection to a claim is opposed, a written response must be filed and served on the objecting party at least 5 business days before the scheduled hearing. A response is deemed sufficient if it states that written documentation in support of the proof of claim has already been provided to the objecting party and that the documentation will be provided at any evidentiary hearing or trial on the matter.

If you object to the relief requested, you *must* file a **WRITTEN** response to this pleading with the Court. You *must* also serve your written response on the person who sent you this notice.

If you do not file a written response with the Court, or if you do not serve your written response on the person who sent you this notice, then:

- The Court may *refuse to allow you to speak* at the scheduled hearing; and
- The Court may *rule against you* without formally calling the matter at the hearing.

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LAWYERS

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Dated: November 19, 2007.

**LEWIS AND ROCA LLP**

By: /s/ RC (#6593)  
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Rob Charles, NV 6593  
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*Counsel for USACM Liquidating Trust*

Copy of the foregoing mailed on  
November 19, 2007 to:

Tobias Von Euw Revocable Trust DTD 11/23/04  
c/o Tobias Von Euw, Trustees  
2448 Lark Sparrow Street  
Las Vegas, Nevada 89084-3726

/s/ Christine E Laurel  
Lewis and Roca LLP